

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

(1) CLINT BEASON,)
vs.)
Plaintiff,)
vs.) Case No. 16-CV-83-KEW
(1) STATE FARM FIRE AND)
CASUALTY COMPANY,)
Defendant.)

NOTICE OF REMOVAL

The Petitioner, State Farm Fire and Casualty Company (“State Farm”), Defendant in the above-captioned case, states the following:

1. The above-entitled cause was commenced in the District Court of Choctaw County, entitled *Clint Beason v. State Farm Fire and Casualty Company*, Case No. CJ-15-59. State Farm was served Summons and Petition on February 12, 2016 via service on the Oklahoma Insurance Department. A copy of Plaintiff’s Petition setting forth his claims for relief upon which the action is based is attached hereto and marked Exhibit 1. A copy of the Summons served upon State Farm is attached hereto and marked Exhibit 2.

2. State Farm’s principal place of business is in the State of Illinois, and State Farm is incorporated in the State of Illinois. Plaintiff, Clint Beason, is a resident and citizen of McCurtain County, State of Oklahoma. (Petition, ¶ 1, Ex. 1). Plaintiff’s cause of action is for alleged breach of an insurance contract and alleged breach of the implied duty of good faith and fair dealing. The matter in controversy between Plaintiff and State Farm, according to Plaintiff’s demand, exceeds Seventy-Five Thousand and No/100ths Dollars (\$75,000.00), exclusive of interests and costs. (See Plaintiff’s Petition, p. 2, Ex. 1).

3. This Court has original jurisdiction over this case pursuant to 28 U.S.C. § 1332 (1992), by reason of the fact that this is a civil action wherein the amount in controversy, according to Plaintiff's demands, exceeds Seventy-Five Thousand and No/100ths Dollars (\$75,000.00), exclusive of interest and costs and is between citizens of different states. Accordingly, this action may be removed by State Farm pursuant to 28 U.S.C. § 1441(a).

4. This Notice of Removal is filed in this Court within thirty (30) days after February 12, 2016, the date State Farm was served with a copy of Plaintiff's Petition, which was the initial pleading setting forth the claim for relief upon which this action is based. (*See* Summons and Petition, Exhibits 1 and 2).

5. Copies of all process, pleadings, and Orders served upon Defendant, State Farm, have been attached hereto as Exhibits 1 and 2. Pursuant to LCvR 81.2, a copy of the state court docket sheet is attached as Exhibit 3.

WHEREFORE, Defendant, State Farm Fire and Casualty Company, prays that this action be removed.

Dated this 3rd day of March, 2016.

Respectfully submitted,

**ATKINSON, HASKINS, NELLIS,
BRITTINGHAM, GLADD & FIASCO**
A PROFESSIONAL CORPORATION

/s/ John S. Gladd
John S. Gladd, OBA #12307
525 South Main, Suite 1500
Tulsa, OK 74103-4524
Telephone: (918) 582-8877
Facsimile: (918) 585-8096

Certificate of Service

I hereby certify that on March 3rd, 2016, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Michael D. Lewis
LAW OFFICES OF MICHAEL D. LEWIS
6116 N.W. 63rd Street, Suite 100
Oklahoma City, Oklahoma 73132
Attorney for Plaintiff Beason

/s/ John S. Gladd
